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**Working Group on the Universal Periodic Review**  
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Geneva, 1–12 May 2017

### **Draft report of the Working Group on the Universal Periodic Review\***

#### **South Africa**

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\* The annex to the present report is circulated as received.

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## Introduction

1. The Working Group on the Universal Periodic Review, established in accordance with Human Rights Council resolution 5/1, held its twenty-seventh session from 1 to 12 May 2017. The review of South Africa was held at the 16<sup>th</sup> meeting on 10 May 2017. The delegation of South Africa was headed by Mr John Jeffery, Deputy Minister Department of Justice and Constitutional Development South Africa. At its 18<sup>th</sup> meeting held on 12 May 2017, the Working Group adopted the report on South Africa.
2. On 13 February 2017, the Human Rights Council selected the following group of rapporteurs (troika) to facilitate the review of South Africa: Iraq, Burundi and Germany.
3. In accordance with paragraph 15 of the annex to Human Rights Council resolution 5/1 and paragraph 5 of the annex to Council resolution 16/21, the following documents were issued for the review of South Africa:
  - (a) A national report submitted/written presentation made in accordance with paragraph 15 (a) (A/HRC/WG.6/27/ZAF/1);
  - (b) A compilation prepared by the Office of the United Nations High Commissioner for Human Rights (OHCHR) in accordance with paragraph 15 (b) (A/HRC/WG.6/27/ZAF/2);
  - (c) A summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/27/ZAF/3).
4. A list of questions prepared in advance by Belgium, Czechia, Germany, Mexico, the Netherlands, Norway, Slovenia, Spain, Sweden, and the United Kingdom of Great Britain and Northern Ireland was transmitted to South Africa through the troika. These questions are available on the extranet of the UPR.

## I. Summary of the proceedings of the review process

### A. Presentation by the State under review

5. Mr John Jeffery, Deputy Minister of Justice and Constitutional Development, introduced South Africa's report to the Working Group, and highlighted the implementation of recommendations and the development of human rights in the period under review.
6. South Africa's final report on the Millennium Development Goals stressed that the country had made considerable progress, in particular in the area of socio-economic rights. Despite improvements, South Africa was aware that many challenges persisted, including poverty among vulnerable groups. Moreover, as global economic growth had remained weak, much had to be accomplished within the context of existing budgetary constraints. The National Development Plan (NDP, which will guide South Africa's development and budgeting for the next 15 years, also known as Agenda 2030, factors in the 17 new Sustainable Development Goals (SDGs). The NDP reflects South Africa's commitment to improving the lives of the poor and the marginalised in society.
7. Regarding recommendations received during the previous Universal Periodic Review, the delegation highlighted that in 2015, South Africa had ratified the International Covenant on Economic, Social and Cultural Rights and that the initial report under the Covenant had been submitted in 2017.

8. Additionally, in 2013, the Prevention and Combatting of Torture of Persons Act had been enacted, giving effect to South Africa's obligations under the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. With regard to the Optional Protocol to the Convention against Torture, the delegation stated that before ratification is considered, an agreement on the structure and the location of the National Preventive Mechanism must be reached. Discussions with the South African Human Rights Commission regarding this issue, including on funding, were currently under way.

9. The delegation indicated that in 2013, South Africa had also passed the Prevention and Combating of Trafficking in Persons Act. This Act address trafficking in a comprehensive manner, when previously the issue had been dealt with in a fragmented manner.

10. With regard to recommendations to criminalise Hate Speech and related Hate Crimes, it was noted that in October 2016, the Cabinet had approved the publication of the Prevention and Combating of Hate Crimes and Hate Speech Bill for public comment. The Bill would establish the offences of Hate Crimes and Hate Speech. According to the Bill, a hate crime would have occurred when a perpetrator commits any recognised offence and the commission of that offence is motivated by unlawful bias, prejudice or intolerance, based on race, gender, sex, ethnic or social origin, colour, sexual orientation or gender identity, religion, belief, culture, language, birth, HIV status, nationality, albinism, occupation or trade. In addition, the Bill created the crime of hate speech, which was a more recent insertion in response to the increase in racist incidents that took place over the last few years.

11. The Bill had been the object of an intense participatory process and debate. From comments received, there seemed to be extensive support for the inclusion of hate crimes. However, with regard to Hate Speech there were concerns raised that defined Hate Speech could restrict the right to free speech or the right to freely practice religion. The delegation recalled, however, that the right to free speech must be balanced and was not unlimited. The Bill will shortly be returned to Cabinet for discussion, and tabling in Parliament.

12. With regard to the right to privacy in the digital age, including communication surveillance, oversight, data protection, and proposed legislation, it was highlighted that oversight mechanisms to ensure that a person's right to privacy were not unlawfully infringed already existed. The delegation noted, in particular, the creation of the Information Regulator by the new Protection of Personal Information Act.

13. It was added that the development of new legislation to enhance cybersecurity was a necessity, as extensive technological advances had led to greater risks of cybercrime. The delegation indicated that there were a number of misconceptions regarding the new Cybercrime and Cybersecurity Bill. For example, additional structures to be established by the Bill would not give powers to the State Security Agency to control the Internet, nor any powers to censor or suppress what could be accessed, published, or viewed on the Internet, nor to monitor communications without judicial sanctioning. Additionally, it was recalled that South Africa was a constitutional democracy; all legislative provisions are measured against the Constitution and if found wanting, would be ruled unconstitutional. Details on existing civilian oversight of the security services by the Office of the Inspector-General for Intelligence were also provided.

14. In reply to advance questions on the Life Esidimeni incident, the delegation stated that the Ministry of Health had requested the Health Ombudsman to investigate the tragic deaths of 96 mental health patients after they had been transferred into the care of non-governmental organizations. The Ombudsman's recommendations were being rigorously implemented to prevent similar incidents from recurring.

15. With regard to the issue of immigration, the delegation stated that the resurfacing of attacks on some categories of foreign nationals were in conflict with the country's philosophy of humanity within the context of its Constitution. These attacks had necessitated interventions at a policy level, through community engagement and crime prevention. A Special Reference Group on Migration and Community Integration headed by the former UN High Commissioner for Human Rights, Ms. Navi Pillay, had been set up. A key finding of this committee had been that attacks on foreign nationals were a direct result of increasing competition for scarce resources. It was therefore important to enhance cooperation on the continent in order to ensure regular and orderly migration.

16. The Government had also developed a draft National Action Plan to Combat Racism, Racial Discrimination, Xenophobia and Related Intolerance, in collaboration with various stakeholders, which would provide the basis for the development of a comprehensive public policy against these scourges. The consultation process on the draft Action Plan had been completed in October 2016, and it is the Government's aim to finalize it by September 2017.

17. The delegation provided information on legislative reforms undertaken to address gender and sexual violence. The delegation also indicated that a National Task Team had been established to counter discrimination against members of the LGBTI community based on sexual orientation and gender identity.

18. With regard to health care, it was highlighted that South Africa had adopted a multi-sectoral approach to fighting HIV/AIDS, including Voluntary Counselling and Testing, prevention of mother to child transmission, antiretroviral (ARV) therapy, condom distribution and awareness education. The number of persons living with HIV/AIDS had stabilised and the rate of infection declined each year. The number of AIDS related deaths had declined consistently since 2006 and can be attributed to the increase in availability of ARV therapy.

## **B. Interactive dialogue and responses by the State under review**

19. During the interactive dialogue, 102 delegations made statements. Recommendations made during the dialogue are to be found in section II of the present report.

20. Bangladesh commended South Africa for combating discrimination and for the adoption of legislation in line with UN conventions.

21. Belgium, while welcoming steps taken to implement UPR recommendations from the previous cycle, noted the existence of a number of concerns.

22. The Plurinational State of Bolivia welcomed progress on access to water and food, and South Africa's support to the development of a declaration on the rights of peasants.

23. Botswana welcomed South Africa's progressive Constitution and efforts regarding the overhaul of the education system with a view to increasing access.

24. Brazil was concerned at deaths of persons with psychosocial disabilities in institutions and encouraged South Africa to take steps to ensure full protection of their rights.

25. Burkina Faso invited South Africa to redouble efforts at the national level to fight racism and xenophobia with regards to migrants, asylum seekers and refugees and consider strengthening its legal framework on this issue.

26. Burundi welcomed South Africa's policies to guarantee the right to education for all and the adoption of legislation to prevent and combat torture.

27. Cabo Verde noted measures implemented by South Africa to combat torture, trafficking in persons, and racial discrimination.
28. Canada urged South Africa to ensure all law enforcement officials have adequate training in human rights and public order policing.
29. Central African Republic encouraged South Africa to extend the drafting process of the national action plan against racism with regard to xenophobia.
30. Chad applauded the adoption of the National Development Plan illustrating South Africa's commitment to eliminating poverty and reducing inequality.
31. Chile praised the adoption of the draft National Action Plan to Combat Racism, Racial Discrimination, Xenophobia and Related Intolerance.
32. China welcomed efforts to eliminate racial barriers, promote social inclusion and reduce poverty, as well as attention for vulnerable people.
33. Congo praised progress in health, education, water and access to affordable housing and encouraged South Africa to implement its national development plan.
34. Cote d'Ivoire welcomed South Africa's commitment to the protection of human rights and the adoption of legislation on torture and trafficking in persons.
35. Cuba highlighted South Africa's programme to transform the economy and increase employment, reduce inequality and its commitment to public health.
36. Czechia welcomed the enactment of the Prevention and Combating of Torture of Persons Act, which criminalised torture.
37. The Democratic People's Republic of Korea commended progress made in education, health care and child protection.
38. Denmark commended the development of a national youth policy and the establishment of the South African Youth Council and the National Youth Development Agency.
39. Djibouti congratulated progress in the reduction of poverty and leadership on the implementation of the Durban Declaration and Programme of Action.
40. Ecuador acknowledged South Africa's efforts to ensure the rights of communities affected by mining activities, and leadership on business and human rights.
41. Estonia encouraged South Africa to continue supporting the fight against impunity, as a party to the Statute of the International Criminal Court.
42. Ethiopia commended South Africa's active participation at the sub-regional, regional and international levels, including in the Human Rights Council.
43. Finland congratulated South Africa for its invitation to the Special Rapporteur on violence against women to visit the country in 2015.
44. France encouraged South Africa to implement the recommendations accepted during previous UPR cycles.
45. Georgia welcomed efforts to eliminate poverty and encouraged South Africa to continue efforts to build an inclusive society.
46. Germany commended South Africa's progress in reducing child and maternal mortality.
47. Ghana encouraged South Africa to implement the Prevention and Combating of Torture of Persons Act and urged the country to take steps to ratify and implement the

Optional Protocol to the Convention against Torture; and carry out open and transparent consultations, including with civil society, aimed at establishing an independent National Preventive Mechanism model that is relevant to the country's set-up to monitor all places of detention in accordance with the country's obligations under the Convention against Torture.

48. Greece noted the adoption of the Labour Relations Amendment Act and the enactment of the Prevention and Combating of Torture of Persons Act.
49. Guatemala was concerned at reports of acts of discrimination, xenophobia and racism against refugees, asylum seekers and migrants.
50. Haiti made recommendations.
51. The Holy See noted the adoption of the Prevention and Combating of Trafficking in Persons Act and progress achieved regarding health care.
52. Honduras welcomed efforts to ratify human rights instruments and invited South Africa to continue working to combat discrimination.
53. Hungary welcomed ratification of Covenant on Economic, Social and Cultural Rights and hoped that South Africa would remain a State party to the Rome Statute.
54. Iceland asked what action was being taken to tackle the stigma of abortion and to inform women and girls about reproductive health care services.
55. Indonesia commended South Africa for the adoption of the National Development Plan: Vision 2030 aimed at eliminating poverty.
56. The Islamic Republic of Iran acknowledged the efforts of South Africa in addressing inequality, poverty and unemployment.
57. Iraq commended efforts undertaken by South Africa including the enactment of the South African Human Rights Commission Act 40 of 2013.
58. Ireland was concerned at the prevalence of gender-based and sexual violence in South Africa.
59. Israel was concerned, inter alia, at the raise of hate crimes and hate speech in South Africa.
60. Italy appreciated the challenges faced by South Africa and welcomed new legislation addressing torture and trafficking in persons.
61. Japan expected that South Africa would continue its efforts to address racism and anti-foreigner sentiment.
62. Kenya commended efforts by South Africa to implement the recommendations from the previous UPR cycles.
63. Lebanon appreciated the efforts of South Africa in combatting xenophobic crimes and adopting legislation relevant to this aim.
64. Lesotho recognized the commitment of South Africa to the protection of human rights as exemplified by the consultations with stakeholders on its migration policy. It appreciated initiatives undertaken to quell violence and discrimination and noted measures taken to fulfil citizens' rights to adequate housing.
65. Libya appreciated the ratification of the International Covenant on Economic, Social and Cultural Rights and the efforts of South Africa in combatting HIV/AIDS.
66. Liechtenstein supported South Africa remaining a State Party to the Rome Statute of the ICC.

67. Madagascar noted the progress achieved by South Africa since the first UPR, including the legislation to prevent and combat torture.
68. Malaysia noted efforts such as the Socio-Economic Justice for All programme and various forms of technical assistance and capacity building.
69. Mauritania expressed its conviction that South Africa would continue to strengthen its cooperation with the treaty bodies and special procedures.
70. Mauritius welcomed the draft National Action Plan to Combat Racism, Racial Discrimination, Xenophobia and Related Intolerance and draft legislation on hate crimes and hate speech.
71. Mexico recognized the achievements of South Africa, inter alia, in achieving inclusive education for persons with disabilities.
72. Mongolia welcomed the adoption of relevant legislation and noted advances in improving living standards and on children's rights.
73. Montenegro asked South Africa about future activities to prevent and eradicate corporal punishment of children in all settings.
74. Mozambique welcomed progress in ensuring access to safe drinking water, poverty reduction and in the health and education sectors.
75. Namibia commended South Africa for the ratification of several international human rights instruments since the last UPR.
76. The Netherlands while appreciating legislation to prohibit discrimination on the basis of sexual orientation, noted persisting violence against LGBTI people.
77. Niger welcomed the National Development Plan: Vision 2030 and the creation of several human rights institutions.
78. Spain welcomed draft legislation on hate crimes and hate speech and the action plan against racism.
79. Pakistan noted the increase in the education budget and the adoption of the Employment Equity Amendment Act.
80. Peru highlighted the 20% budget allocation to education by South Africa and progress in the participation of the black population in public affairs.
81. The Philippines praised South Africa's national development plan and pro-poor education budget, which has increased through the years.
82. Poland appreciated efforts to maintain social cohesion and to address social inequalities inherited from the past.
83. Portugal was concerned at reports of obstacles to birth registration and at discrimination and violence against persons with albinism.
84. The Republic of Moldova appreciated efforts to improve access to education, particularly through the allocation of 20% of its budget to education.
85. The Russian Federation commended efforts to provide access to health care, especially immunization, to fight HIV-AIDS, and progress in primary and secondary education.
86. Rwanda encouraged South Africa to combat sexual and gender-based violence through the implementation of relevant laws to ensure justice for victims.



87. Senegal welcomed implementation of policies such as the social package, which aimed to reduce the cost of living for disadvantaged persons.

88. In response to questions raised regarding South Africa's responses to gender-based violence and sexual offences, the delegation recalled that the Government had undertaken various initiatives and provided detailed information regarding these, such as the setting up of an Inter-Ministerial Committee to investigate the root causes, the expansion of specialized courts, the establishment of specialised health care facilities known as Thuthuzela Care Centres, and amendments to legislation. With regard to questions on ukuthwala, the delegation explained that there was debate on whether the practice as a whole was a problem. Nonetheless, it was highlighted that the Trafficking Act specified that conducting a forced marriage for the purpose of exploitation was a crime and such cases could be prosecuted under the Act.

89. On the ratification of the Optional Protocol to the Convention against Torture, the delegation recalled that discussions on the National Preventive Mechanism were still taking place and provided additional information on a number of initiatives that were being carried out regarding the rights of persons deprived of their liberty.

90. With regard to the issue of LGBTI people, it was highlighted that discrimination based on sexual orientation and gender identity was unlawful in the country. Equality courts, which were civil and not criminal courts, could receive complaints regarding allegations of discrimination on the basis of a whole range of criteria, including sexual orientation.

91. The delegation noted that not many criminal cases related to albinism had been registered, but that given the potential for challenges to arise, it had been included as one of the prohibited grounds in the Hate Crimes and Hate Speech Bill.

92. Regarding questions on compliance by Traditional Courts with international standards, the delegation recalled that in South Africa any legislation or act that was not in accordance with the Constitution would be struck down by the Constitutional Court. Parliament was examining a Traditional Courts Bill which aimed at bringing these courts in line with the Constitution.

93. With regard to questions on the Rome Statute, it was underscored that South Africa's commitment to the protection of human rights and the fight against impunity was unwavering. However, involvement with the International Criminal Court from its inception did not imply ignoring a duty to reflect critically on whether this institution was successfully addressing war crimes, genocide and crimes against humanity, or whether it was hampering States in carrying out peace and conflict-resolution operations. Further, there were perceptions of inequality and unfairness relating to the situations investigated and prosecuted by the Court. The delegation stated that the difficult initial decision to withdraw from the International Criminal Court had been the result of these reflections and appealed to member States to respect and allow national processes to continue to unfold.

94. On questions relating to business and human rights, it was clarified that the country's legislative and regulatory framework was relatively well developed, and all South African businesses were expected to uphold human rights standards. Additionally, South Africa together with Ecuador had launched an initiative aimed at developing a legally-binding instrument to ensure that Transnational Corporations and Other Business Enterprises were accountable for human rights violations.

95. With regard to birth registration, the delegation noted that before the advent of democracy in 1994, only white South Africans had their births recorded at birth. Measures to ensure birth registration adopted since then had included, as a temporary measure, late

birth registration. However, birth registration was important for the protection of children and since 2010 the Government had intensified efforts to ensure early birth registration.

96. On the issue of refugees and asylum seekers, it was indicated that South Africa was a party to the 1951 Convention relating to the Status of Refugees. However, the ability to determine who may enter and exit the Republic was a core aspect of national sovereignty and the new draft policy on the issue of migration balanced the imperatives of national security, economic development, and international and constitutional obligations.

97. The delegation stated that the Government was still considering the ratification of the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness. In this context, it had actively participated in both international and regional processes relevant to this issue. Additionally, it had enacted legislation which was consistent with the spirit and letter of these instruments.

98. On the policing of demonstrations and gatherings, the delegation explained that the law guaranteed the right to protest peacefully. Nonetheless, after the Marikana incident, a Commission had been established which recommended that a group of experts be appointed to make recommendations on the policing of demonstrations. Such a panel had been appointed and the Government was awaiting its recommendations.

99. On teenage pregnancy, the delegation stated that South Africa had developed a specific policy on this issue and provided details in this regard, stressing that the policy affirms the constitutional right of pregnant learners to continue and complete their basic education without discrimination. As for sexual violence in schools, it was highlighted that various policy measures had been implemented to ensure the safety of all learners in schools and detailed information regarding such measures provided.

100. Serbia welcomed South Africa's institutional and policy measures related to children's rights and commended the reduction of infant and child mortality.

101. Sierra Leone noted the multi-sectoral five-year plan to address HIV/AIDS as well as the ongoing prevention, treatment and care programs.

102. Singapore commended South Africa's sustained efforts to transform its education sector by increasing access to education, including for persons with disabilities.

103. Slovenia encouraged South Africa to proceed with the ratification of the optional protocols to the International Covenant on Economic Social and Cultural Rights and to the Convention against Torture.

104. South Sudan welcomed efforts to improve adequate standards of living and housing, by prioritizing access to water and sanitation.

105. Norway noted that since the end of apartheid South Africa had strongly supported the international human rights system.

106. Sri Lanka noted progress in improving maternal mortality and life expectancy and measures to expand access to education.

107. The State of Palestine noted the development of a National Plan to Combat Racism, Racial Discrimination, Xenophobia and Related Intolerance.

108. The Sudan appreciated the adoption of National Development Plan and drafting of a national action plan to combat racism, racial discrimination and related intolerance.

109. Sweden commended South Africa for accepting a majority of the recommendations from the 2<sup>nd</sup> UPR cycle.

110. Switzerland was concerned by the increase in the reported cases of torture by the Independent Police Investigative Directorate.

111. Thailand welcomed steps taken to address xenophobia and hate crimes, including the adoption of relevant laws and action.
112. Timor-Leste welcomed the enactment of the South African Human Rights Commission Act and the Prevention and Combating of Trafficking in Persons Act.
113. Togo appreciated the measures and actions taken with a view to eliminating poverty and reducing inequalities.
114. Tunisia welcomed efforts taken to enhance economic and social rights, particularly the National Development Plan, aimed at eradicating poverty and inequality.
115. Turkey drew attention to challenges such as unemployment, poverty and social inequality, which were directly linked to increasing crime rates and xenophobia.
116. Uganda noted South Africa's Socio Economic Justice for All (SEJA) programme, as well as its Policy on Inclusive Education.
117. Ukraine welcomed steps taken to ensure the right to education for all and combat different forms of gender-based violence and discrimination.
118. The United Arab Emirates commended steps to combat trafficking in persons, including the adoption of legislation criminalising trafficking.
119. The United States of America was concerned that women and girls, migrants and LGBTI individuals continued to suffer from violence and societal prejudice.
120. Uruguay welcomed the Prevention and Combating of Hate Crimes and Hate Speech Bill and measures to ensure access to water and sanitation.
121. The Bolivarian Republic of Venezuela congratulated South Africa for its world leadership in the application of the Durban Declaration and Programme of Action.
122. Yemen commended the ratification of the International Covenant on Economic, Social and Cultural Rights and enactment of legislation against torture.
123. Zambia was concerned about the high prevalence of harmful practices, including virginity testing, violent or harmful initiation rights and intersex genital mutilation.
124. Zimbabwe noted the ratification of the International Covenant on Economic, Social and Cultural Rights and the submission of country reports.
125. Albania commended South Africa for the ratification of international instruments and its commitment to the global system of governance.
126. Algeria commended efforts to combat racism and the drafting of a national action plan on the issue.
127. Angola congratulated South Africa for the ratification of the International Covenant on Economic, Social and Cultural Rights.
128. Argentina congratulated South Africa for the adoption of its National Development Plan, aimed at reducing poverty.
129. Australia encouraged South Africa to continue its efforts to fully implement its constitutional human rights protections.
130. Austria was concerned about the excessive use of force by security forces, corruption cases within the police and violence against women.
131. Azerbaijan commended the adoption of the 2030 Development Plan and reforms to ensure the protection of human rights.

132. The Maldives commended efforts to improve access to education for children with disabilities through the Policy on Inclusive Education.

133. The United Kingdom of Great Britain and Northern Ireland welcomed the steady implementation of South Africa's National Development Plan.

134. On questions regarding the right to health and particularly HIV/AIDS, the delegation recalled that efforts had begun to bear fruit with a reduction in mother to child transmissions, deaths, new infections and an increase in life expectancy.

135. With regard to maternal mortality, the delegation explained that the current rates had been affected by the high rates of HIV/AIDS. The delegation outlined a number of measures that had been adopted by the Government, which should positively impact the rate of maternal mortality.

136. On concerns expressed on corruption, it was clarified that there were an increasing number of measures in place to deal with the issue. The delegation provided information on such initiatives including proposed legislation to protect whistle-blowers, measures regarding the prosecution of such allegations, increased disclosure measures for senior public officials and relevant institutions to address the issue.

137. On questions regarding education, it was stressed that everyone in the country had a right to basic education, including disabled persons and migrants. In South Africa the majority of rights apply to everyone, and only a few rights are denied to foreign nationals.

138. In conclusion, South Africa thanked the member States for their questions and concerns and the attention given to the review. The delegation stated that all comments would be carefully considered in the continuation of the UPR process.

## **II. Conclusions and/or recommendations\*\***

**139. The following recommendations will be examined by South Africa which will provide responses in due time, but no later than the thirty-sixth session of the Human Rights Council in September 2017:**

**139.1. Ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Burkina Faso); (Niger); (Uganda); (Philippines); (Sierra Leone);**

**139.2. Promptly ratify the International Convention on the Rights of All Migrant Workers and Members of Their Families (Guatemala);**

**139.3. Consider ratifying the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Sri Lanka); (Sudan);**

**139.4. Ratify the International Convention for the Protection of All Persons from Enforced Disappearance (Portugal); (Germany); (Sierra Leone);**

**139.5. Ratify without delay the International Convention for the Protection of All Persons from Enforced Disappearance (Japan);**

**139.6. Become a party to the International Convention for the Protection of All Persons from Enforced Disappearance (Albania); (Central African Republic); (Iraq);**

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\*\* The conclusions and recommendations have not been edited.

- 139.7. Ratify the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Spain); (Denmark); (Italy); (Lebanon); (Montenegro); (Senegal); (Burkina Faso); (Portugal); (Philippines); (Germany);
- 139.8. Promptly ratify the Optional Protocol to the Convention against Torture (Guatemala);
- 139.9. Ratify protocols as committed to, including the Optional Protocol to the International Convention against Torture (Austria);
- 139.10. Become party to the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (Albania); (Togo);
- 139.11. Ratify the Optional Protocol to the Convention against Torture, and other Cruel, Inhuman or Degrading Treatment signed in 2006 (Brazil);
- 139.12. Continue taking measures to prevent torture and other forms of ill-treatment including steps towards ratification of the Optional Protocol to the Convention against Torture (Georgia);
- 139.13. Intensify its efforts to ratify the Optional Protocol to the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment including through holding multi-stakeholder consultations on a possible National Preventive Mechanism model most suitable for South Africa (Rwanda);
- 139.14. Ratify the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, with a view to establishing a National Preventive Mechanism against Torture (Chile);
- 139.15. Ratify the Optional Protocol to the Convention against Torture and establish a national preventive mechanism (Hungary);
- 139.16. Ratify, before the next UPR cycle, the Optional Protocol to the Convention against Torture and adopt measures to improve access to justice, redress and rehabilitation for victims of torture (Czechia);
- 139.17. Take all necessary measures to ensure that all reports of ill-treatment and torture in prisons and centres of detention are adequately investigated, and ratify the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Estonia);
- 139.18. Ratify the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, to open up for international inspections of places of detention (Norway);
- 139.19. Ratify the Optional Protocol to the International Covenant on Economic Social and Cultural Rights (Spain); (Philippines); (Portugal);
- 139.20. Ratify the Optional Protocol to the Convention on the Rights of the Child on communications procedure (Spain); (Portugal); (Montenegro);
- 139.21. Ratify the 1954 Convention relating to the Status of Stateless persons and the 1961 Convention on the Reduction of Statelessness (Belgium); (Germany);
- 139.22. Accede to and implement the 1954 and 1961 Statelessness Conventions (Kenya);

- 139.23. **Accede to the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness (Australia);**
- 139.24. **Promptly ratify the 1989 ILO Convention on Indigenous and Tribal Peoples (No.169) (Guatemala);**
- 139.25. **Strengthen domestic efforts to tackle modern slavery of children and rural workers, including through ratification of the ILO Protocol to the Forced Labour Convention (United Kingdom of Great Britain and Northern Ireland);**
- 139.26. **Ratify the Kampala amendments to the Rome Statute on the crime of aggression (Liechtenstein);**
- 139.27. **Reconsider the announcement of its possible withdrawal from the Rome Statute (Peru);**
- 139.28. **Reconsider the decision to withdraw from the Rome Statute of the International Criminal Court (Greece);**
- 139.29. **Uphold its commitment to and obligations under the Rome Statute of the International Criminal Court (Czechia);**
- 139.30. **Continue its active engagement with the UN Human Rights mechanisms (Azerbaijan);**
- 139.31. **Facilitate the visit of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance (Congo);**
- 139.32. **Accept the request for a visit by the Special Rapporteur on the human right to safe drinking water and sanitation (Uruguay);**
- 139.33. **Establish a standing inter-ministerial committee to improve coordination in relation to human rights reporting, and follow up on implementation of recommendations (Ireland);**
- 139.34. **Adopt an open, merit-based selection process when selecting national candidates for UN treaty body elections (United Kingdom of Great Britain and Northern Ireland);**
- 139.35. **Ensure sufficient resources to the so-called Chapter 9 institutions which, as independent oversight bodies, serve a crucial purpose in upholding the rule of law and good governance (Finland);**
- 139.36. **Continue strengthening South Africa's national human rights institutions in accordance with its constitution in order for them to be able to exercise their powers and execute their functions impartially and independently (Indonesia);**
- 139.37. **Provide adequate financial resources to the Human Rights Commission to enable it to carry out its work (Uganda);**
- 139.38. **Establish an effective and independent national mechanism for the prevention of torture according to the criteria of the Optional Protocol to the Convention against Torture (Switzerland);**
- 139.39. **Develop an independent child's rights monitoring mechanism and allocate adequate financial resources to ensure effective implementation of the relevant international obligations (Mongolia);**
- 139.40. **Continue to adequately fund the Medium Term Strategic Framework (MTSF), and to refine its consolidated planning, monitoring and evaluation mechanisms to support the MTSF's effective implementation (Singapore);**

- 139.41. **Commit to procurement and e-governance reforms, including the full implementation of the Open Government Partnership National Action Plan and a permanent dialogue mechanism with civil society (United States of America);**
- 139.42. **Pursue initiatives within the framework of the Durban Declaration and Programme of Action (Ecuador);**
- 139.43. **Expedite the implementation of the Prevention and Combating of Hate Crimes and Hate Speech Bill and a national action plan to combat racism, racial discrimination, xenophobia and related intolerance (Spain);**
- 139.44. **Expedite the adoption of the Prevention and Combating of Hate Crimes and Hate Speech Bill (Madagascar);**
- 139.45. **Expedite the adoption of the Hate Crime and Hate Speech Bill, ensuring a strong legal framework against such crimes (Norway);**
- 139.46. **Complete the process to adopt the Prevention and Combating of Hate Crimes and Hate Speech Bill (Cuba);**
- 139.47. **Expedite the legislative process related to the draft National Action plan to combat racism, racial discrimination, xenophobia and related intolerance (Turkey);**
- 139.48. **Continue efforts in combating racial discrimination, hate speech, accelerate the enactment of the Law concerning hate crime and hate speech, which is presented for general comments (Tunisia);**
- 139.49. **Adopt law 2016 on Prevention and Combating of Hate Crimes and Hate Speech and work towards disseminating the culture of coexistence and enhancing the values of tolerance (United Arab Emirates);**
- 139.50. **Ensure that the Prevention and Combating of Hate Crimes and Hate Speech Bill is in conformity with the International Convention on the Elimination of All Forms of Racial Discrimination and to make every effort to expedite its enactment (Uruguay);**
- 139.51. **Continue to combat hate crime and hate speech, and ensure that the provisions of the draft Bill on the Prevention and Combating of Hate Crimes and Hate Speech cannot be used to restrict the rights of freedom of expression and religion (Estonia);**
- 139.52. **Ensure proper implementation of the Prevention and Combating of Hate Crimes and Hate Speech Bill and the National Action Plan to Combat Racism, Racial Discrimination, Xenophobia and Related Intolerance, once adopted (Republic of Moldova);**
- 139.53. **Expedite the approval of the draft National Action Plan to Combat Racism, Racial Discrimination, Xenophobia and Related Intolerance, by the relevant organ, and allocate proper resources for its implementation (Ethiopia);**
- 139.54. **Accelerate procedures for the adoption of the draft National Action Plan to Combat Racism, Racial Discrimination, Xenophobia and Related Intolerance (Togo);**
- 139.55. **Consolidate the Draft National Plan of Action for Combating Racism, Racial Discrimination, Xenophobia and Related Intolerance (Bolivarian Republic of Venezuela);**

- 139.56. Continue efforts towards finalizing the draft National Action Plan to combat racism, racial discrimination, xenophobia and related intolerance (Namibia);
- 139.57. Take all necessary steps to address xenophobia through legislation, appropriate public awareness programs and promotion of tolerance and cultural diversity, and adopt a National Action Plan to combat racism, racial discrimination, xenophobia and related intolerance (Sweden);
- 139.58. Continue to promote effective implementation of the Durban Declaration and Program of Action by the international community, in order to combat racism (China);
- 139.59. Engage civil society, activists, NGOs, and the media to seek common ground on the draft Hate Crimes bill (United States of America);
- 139.60. Strengthen measures to prevent violence against foreigners. These include comprehensive education and awareness programs regarding xenophobia and the rights of migrants, including refugees and asylum seekers, as well as programs that promote inclusion (Canada);
- 139.61. Raise the social awareness against any form of xenophobic and racist thinking and attitude for the benefit of sustainable development and regional stability (Hungary);
- 139.62. Conduct educational campaigns on access to judicial remedies for racial discrimination (Timor-Leste);
- 139.63. Heed the recommendation of the Human Rights Committee to redouble efforts to prevent and eliminate all the manifestations of racism and xenophobia, as well as to improve the policing action in its responses to violence against non-citizens (Honduras);
- 139.64. Improve police responses to violence against foreigners (Central African Republic);
- 139.65. Redouble efforts to prevent and eradicate all manifestations of racism and xenophobia and improve the policing action in its response to violence against refugees, asylum seekers and migrants, among others (Guatemala);
- 139.66. Continue its efforts to prevent and eradicate all manifestations of racism and xenophobia and to improve policing responses to violence against non-nationals (State of Palestine);
- 139.67. Not only work to bring perpetrator to justice, but also establish dialogue among relevant stakeholders to address the root cause of xenophobia (Thailand);
- 139.68. Prosecute perpetrators of crimes motivated by racial discrimination and xenophobia and encourage dialogue amongst communities in conflict (Central African Republic);
- 139.69. Take appropriate action to punish people motivated by racial discrimination and xenophobia (Uganda);
- 139.70. Ensure the investigation of all incidents of hate crimes and hate speech and to prosecute the perpetrators (Israel);
- 139.71. Work to hold perpetrators of xenophobic violence to account (Australia);



- 139.72. **Take proper legal measures including compensations on the attacks on foreign nationals resulted in the loss of life and damage to property in parts of the country (Ethiopia);**
- 139.73. **Continue efforts to combat all forms of racial discrimination, xenophobia and racism, in particular with respect to refugees, asylum seekers and migrants (Senegal);**
- 139.74. **Continue its efforts to combat discrimination, xenophobia and racism against non-citizens (Bangladesh);**
- 139.75. **Redouble its efforts to prevent and eliminate all signs of racism and xenophobia (Central African Republic);**
- 139.76. **Fight against all forms of xenophobia and reject discrimination against migrants (Chad);**
- 139.77. **Take adequate measures to combat acts of racism and xenophobia against non-nationals (Congo);**
- 139.78. **Strengthen its policy to combat racism, racial discrimination, xenophobia and related intolerance (Côte d'Ivoire);**
- 139.79. **Take all additional measures to prevent and eradicate all manifestations of any form of racism and xenophobia against non-citizens, including refugees, asylum seekers and migrants (Greece);**
- 139.80. **Take measures to prevent risks of violence against foreigners, migrants or asylum seekers (France);**
- 139.81. **Take all required measures to halt the exploitation of migrants, asylum seekers and refugees and facilitate their integration into society (Turkey);**
- 139.82. **Prevent racial discrimination and other forms of expression with xenophobic overtones against foreigners (Kenya);**
- 139.83. **Strengthen measures to prevent and eradicate all manifestations of discrimination, xenophobia and violence against foreign nationals (Rwanda);**
- 139.84. **Continue its efforts aimed at combating racism and racial discrimination and xenophobia (Libya);**
- 139.85. **Promote dialogue within the communities with a view to face the root causes of discrimination and violence (Guatemala);**
- 139.86. **Exert additional efforts to combat discrimination and xenophobia (Iraq);**
- 139.87. **Step up measures aiming at addressing the systematic attacks on immigrants (Mozambique);**
- 139.88. **Continue the improvement of the socio-economic development strategies and plans in order to avoid xenophobia and other forms of intolerance toward foreigners in South Africa (Ukraine);**
- 139.89. **Enhance the prevention, investigation and prosecution of violent crimes against individuals belonging to vulnerable groups (United Kingdom of Great Britain and Northern Ireland);**
- 139.90. **Consider expanding the policy of affirmative action to coloured population (Peru);**

- 139.91. **Protect persons with albinism from violence, abductions, discrimination and stigmatization (Portugal);**
- 139.92. **Protect people with albinism (Congo);**
- 139.93. **Take measures to protect people with albinism and to develop educational campaigns to promote tolerance and respect for diversity (Israel);**
- 139.94. **Thoroughly investigate and prosecute reported incidents of abductions and killings of persons with albinism (Sierra Leone);**
- 139.95. **Include in its action plans the protection of persons with albinism (Honduras);**
- 139.96. **Strengthen the protection of people with albinism from violence, abduction, discrimination, stigmatisation and related intolerance (Mauritania);**
- 139.97. **Engage NGOs on the LGBTI Task Team and update and implement the national LGBTI strategy (United States of America);**
- 139.98. **Develop policies, plans and information campaigns to eradicate at all levels the stereotypes and discrimination against people based on their sexual orientation or gender identity, focused particularly on public officials and those in charge of law enforcement (Chile);**
- 139.99. **Strengthen the protection of LGBTI persons against stigmatization, harassment and discrimination by promoting tolerance for sexual diversity and different gender identities and by clearly classifying acts of violence against these persons as hate crimes (Belgium);**
- 139.100. **Take urgent measures for the investigation and effective punishment of perpetrators of discrimination and violence against LGBTI persons (Argentina);**
- 139.101. **Take steps to ensure prevention, investigation and prosecution of cases of violence against persons based on sexual orientation and gender identity (Israel);**
- 139.102. **Strengthen its system for monitoring, reporting and analyzing crimes of violence and discrimination against individuals based on grounds of sexual orientation or gender identity (Netherlands);**
- 139.103. **Consider giving priority attention to indigenous peoples, in particular with reference to language, education and land redistribution (Peru);**
- 139.104. **Increase the efficiency and the systematic implementation of the law on the development of mining resources, in the field of employment, housing, social development and protection of the environment (Cabo Verde);**
- 139.105. **Continue to develop and implement a framework that holds companies accountable, particularly those in the extractive sector, for human rights violations and environmental degradation for their operations (Philippines);**
- 139.106. **Define and enforce regulations to ensure that companies comply with international and national standards relating to human rights, labor, the environment and others (Togo);**
- 139.107. **Continue to combat violence and crime in large cities (Angola);**
- 139.108. **Strengthen its efforts against the excessive use of force by police forces (Cabo Verde);**

- 139.109. **Revise laws and policies regarding public order policing and the use of force, including lethal force by law enforcement officials (Greece);**
- 139.110. **Take further action regarding oversight and training for security forces in human rights, including to address violence related to hatred against foreigners, and making sure security forces carrying out law enforcement duties comply with UN Standards (Austria);**
- 139.111. **Redouble efforts to reduce the use of excessive force by Police, through a comprehensive effort to educate policemen on proper procedure, and. prosecute those law enforcement officials who persist (Iceland);**
- 139.112. **Take effective measures to prevent the excessive use of force and to protect the human rights of persons in detention facilities (Holy See);**
- 139.113. **Improve conditions in detention centres and avoid overcrowding, as well as the detention of migrants (Mexico);**
- 139.114. **Ensure that the Independent Police Investigative Directorate investigates all allegations of torture (Germany);**
- 139.115. **Step up its efforts to improve legal aid for destitute people in order to guarantee access to justice and a fair trial for all (Burundi);**
- 139.116. **Ensure that bills relating to traditional courts and traditional leaders, currently under discussion, are in conformity with South Africa's international commitments (France);**
- 139.117. **Continue to pay further attention to the improvement of the rule of law (Russian Federation);**
- 139.118. **Continue its efforts to ensure the right to access to information and freedom of expression by adopting regulations that would be in accordance with both the South African Constitution and South Africa Republic's international treaties and commitments (Poland);**
- 139.119. **Review the current text of the Protection of State Information Bill in order to remove any limitations on freedom of expression, including unwarranted persecution of whistle blowers (Sweden);**
- 139.120. **Continue the revision of the Protection of State Information Bill so that it fully respects international human rights law, in particular the right to freedom of opinion and expression (Switzerland);**
- 139.121. **Safeguard that journalists and writers, especially those working for state owned media houses or public broadcasters, can work freely and without fear of reprisal for expressing critical opinions or covering subjects that the Government may find sensitive (Sweden);**
- 139.122. **Ensure that all communications surveillance requires a test of necessity and proportionality (Liechtenstein);**
- 139.123. **Take the necessary steps to ensure that all operations of intelligence agencies are monitored by an independent oversight mechanism (Liechtenstein);**
- 139.124. **Continue the ongoing efforts to combat human trafficking and strengthen measures to protect victims of trafficking (Sri Lanka);**
- 139.125. **Closely cooperate with relevant governmental and non-governmental foreign agencies to tackle trafficking in persons and ensure that appropriate**

protection is rendered to various groups of victims including those of foreign nationals (Thailand);

139.126. Continue the efforts aimed at combating trafficking in persons, particularly women and children in the framework of enforcing national legislation and international conventions that South Africa has ratified (United Arab Emirates);

139.127. Continue measures to combat trafficking in human beings (Azerbaijan);

139.128. Continue its efforts to combat trafficking of persons through the effective implementation of the Prevention and Combatting of Trafficking in Persons Act (Maldives);

139.129. Consider formulating a National Plan of Action on trafficking, with a particular focus on data on trafficking in children (Bangladesh);

139.130. Continue to promote sustainable economic and social development, eradicate poverty and improve people's living standards (China);

139.131. Build on its rule of law-tradition to actively combat corruption and other obstacles to the economic, social and cultural rights, civil and political rights of its people (Norway);

139.132. Continue its efforts to implement measures aimed at economic transformation of the country (Pakistan);

139.133. Continue to provide efforts for the enjoyment of the right to work, health, education and food (Russian Federation);

139.134. Continue strengthening social programs in the context of nation building and social cohesion (Bolivarian Republic of Venezuela);

139.135. Continue its efforts in the implementation of the country's National Development Plan (Pakistan);

139.136. Continue to consolidate the National Development Plan in the eradication of poverty (Bolivarian Republic of Venezuela);

139.137. Redouble its efforts in addressing challenges in terms of economic rights, namely to reduce unemployment and to alleviate poverty (Indonesia);

139.138. Strengthen its policy and programmatic measures aimed at addressing the big challenges of inequality, poverty and unemployment (Zimbabwe);

139.139. Redouble efforts to improve the access of young people and vulnerable groups to decent work (Angola);

139.140. Continue programs to foster economic growth and reduce unemployment (Russian Federation);

139.141. Continue to ensure effective access to social protection for vulnerable groups (Madagascar);

139.142. Continue to implement actions aimed at reducing poverty and inequality (Cuba);

139.143. Strengthen its policy to fight poverty in rural areas (Côte d'Ivoire);

139.144. Continue its poverty reduction policy, particularly for vulnerable groups in isolated and rural areas (Djibouti);

- 139.145. Continue its endeavours on development and poverty alleviation throughout the community, notably for vulnerable groups, such as women and children (Islamic Republic of Iran);
- 139.146. Take further steps to improve the conditions of vulnerable categories of its population, in particular the children in poverty, facing food insecurity and mistreatments, and disabled people still victims of stigmatization and discrimination (Poland);
- 139.147. Continue its efforts eradicating poverty and inequality (Lebanon);
- 139.148. Continue its efforts to eradicate poverty and social inequality (South Sudan);
- 139.149. Continue its efforts to achieve development, poverty eradication and elimination of racial discrimination (Yemen);
- 139.150. Continue its efforts aimed at the elimination of poverty and reduction of inequality (Azerbaijan);
- 139.151. Continue to promote rural development policies for the protection of the rights of peasants and other persons working in rural areas (Plurinational State of Bolivia);
- 139.152. Explore the possibility of a universal basic income in place of the existing social protection system, in consultation with all the stakeholders (Haiti);
- 139.153. Expedite the necessary consultative and legislative processes for the establishment of mandatory retirement benefits for all working persons who retire due to old age or disability (Mauritius);
- 139.154. Build on the progress made to provide adequate housing through such programmes as the Integrated Human Settlement Grant and Urban Settlements Development Grant (Malaysia);
- 139.155. Continue efforts to ensure that households, schools and health facilities have access to safe water and sanitation (Djibouti);
- 139.156. Continue to enhance the realization of the human rights to water and sanitation, giving special attention to ensuring that all homes, health centers and educational establishments have safe drinking water and improved sanitation facilities (Spain);
- 139.157. Continue with efforts to enable all households, schools and health centers to have access to safe drinking water and sanitation (Uruguay);
- 139.158. Take all the necessary measures to optimize land distribution, while implementing a land reform, providing adequate support and training to beneficiaries, in close consultation with all stakeholders (Haiti);
- 139.159. Continue taking measures aimed at eliminating historical injustices and inequalities in all sectors, especially in the health and education sectors, in order to improve the living standards of all its people (Namibia);
- 139.160. Continue its efforts to improve the health care system (Sudan);
- 139.161. Continue efforts to ensure access to quality healthcare to all South Africans in line with efforts to achieve universal healthcare coverage by 2030 (Malaysia);

- 139.162. Strengthen the efforts to diminish the gap in health care between rural and urban areas (Holy See);
- 139.163. Take effective measures to eliminate the disparity in healthcare provision between rural and urban areas and to improve the quality of health services across the country, including through the adoption of effective legislation and amendments on the national health (Maldives);
- 139.164. Continue to address the issue of maternal mortality (Portugal);
- 139.165. Consolidate and fully implement programs for preventing and eliminating tuberculosis and engage in international cooperation in this regard (Democratic People's Republic of Korea);
- 139.166. Continue its measures to eliminate discrimination and increase its efforts to tackle HIV infection through ensuring equal access to treatment and support (Japan);
- 139.167. Continue the efforts in the fight against HIV by adopting a comprehensive national policy to deal with this epidemic and diseases that are sexually transmitted and tuberculosis (Libya);
- 139.168. Increase its efforts in addressing the HIV epidemic (Turkey);
- 139.169. Continue programmes to fight HIV/AIDS (Algeria);
- 139.170. Strengthen national policies in the area of public health coverage particularly, the fight against HIV/AIDS in rural areas (Angola);
- 139.171. Continue implementing measures to prevent HIV/AIDS transmission (Islamic Republic of Iran);
- 139.172. Ensure comprehensive sexuality education in school curriculum including on consent, contraception and gender-based violence (Denmark);
- 139.173. Improve knowledge among health care workers and adolescents about sexual and reproductive health and rights, including through comprehensive sexuality education that involves men and boys (Iceland);
- 139.174. Prevent unwanted pregnancies as provided under the Choice on Termination of Pregnancy Act (Iceland);
- 139.175. Make further efforts for achieving equal and universal access to education (Democratic People's Republic of Korea);
- 139.176. Increase its activities towards the full realization of the right to education and continue its increasing investment in this field (Islamic Republic of Iran);
- 139.177. Continue to broaden the scope for access and quality of public education, as well as ensuring equal opportunity and leaving no one behind, from primary through secondary to tertiary level (Botswana);
- 139.178. Ensure the unconditional access to primary, secondary and tertiary education for all groups of society, irrespective of their socio-economic situation, ethnic background or gender (Germany);
- 139.179. Improve the quality of basic education through programs to ensure teachers have adequate content knowledge and appropriate training, as well as by prioritizing the most disadvantaged schools in infrastructure and other improvement programs (Canada);

- 139.180. Further increase investment so as to improve education in rural areas (China);
- 139.181. Continue to adequately resource its Provincial Schools Build Programme (PSBP) so that more children, particularly those from poor rural communities, can have access to schools that are safe and adequately equipped (Singapore);
- 139.182. Continue its efforts to improve the quality of education, including the quality and availability of school facilities, educational materials, teaching staff and curricula, prioritizing the most disadvantaged schools (State of Palestine);
- 139.183. Take concrete measures towards ensuring the right to education for all, focusing on decreasing the level of drop-outs and on improving the quality of education (Republic of Moldova);
- 139.184. Provide appropriate solutions to the significant decline in the rate of school attendance in secondary education, especially among girls (Mauritania);
- 139.185. Prioritize the retention of girls in schools and according them the opportunity and environment to progress at par with their male colleagues (Botswana);
- 139.186. Continue providing human rights education, in particular through access to information and the promotion of existing mechanisms for protection and reparation (Ecuador);
- 139.187. Adopt measures to ensure inclusive education of persons with disabilities (Israel);
- 139.188. Prioritise implementing the right to an inclusive basic education for all children with disabilities (Australia);
- 139.189. Continue its efforts in combating all forms of discrimination against women and fighting violence against them and enhancing their presence in higher decision-making positions (Tunisia);
- 139.190. Consolidate its ongoing programmes to promote women's empowerment and gender equality (Zimbabwe);
- 139.191. Strengthen its efforts to promote gender equality (Timor-Leste);
- 139.192. Take urgent measures to repeal laws that discriminate against women in matters such as marriage and family relations (Argentina);
- 139.193. Expedite the enactment of the proposed Women's Empowerment and Gender Equality Bill (Maldives);
- 139.194. Adopt as soon as possible the Women's Empowerment and Gender Equality Bill (Spain);
- 139.195. Step up its fight against gender-based discrimination and violence, uproot its social acceptability and increase efforts for the protection of its victims and redress for violations of their rights as well as efforts for accountability of perpetrators (Czechia);
- 139.196. Prevent and combat all forms of discrimination and eliminate violence against women, including domestic violence (Philippines);
- 139.197. Reduce violence against women through awareness and mobilization campaigns to change social norms; significantly strengthen legal accountability in cases of violence against women; and improve national strategic planning to

**mobilize resources and improve coordination in combatting violence against women (Canada);**

**139.198. Implement a national strategy to modify or eradicate, in accordance with the Convention on the Elimination of All Forms of Discrimination against Women, harmful practices and stereotypes that discriminate against women (Uruguay);**

**139.199. Strengthen efforts to prevent and combat all forms of discrimination and violence against women, also by adopting and implementing effective measures on the issue; ensure that women victims of violence receive appropriate help and perpetrators are brought to justice (Italy);**

**139.200. Work to eradicate harmful cultural or traditional practices against women and girls by conducting educational campaigns, encouraging reporting of cases and publically denouncing such practices; through urgently providing an adequate budget for the implementation of key measures of the Domestic Violence Act; and through strengthening the systematic and comprehensive collection of disaggregated data related to the incidence of all forms of violence against women, including femicide and intimate partner violence, and to use this data to inform its policy responses and monitoring (Ireland);**

**139.201. Take all necessary measures to safeguard the full enjoyment of human rights by women and girls, including combatting sexual and gender-based violence (Estonia);**

**139.202. Continue to combat gender-based violence (Djibouti);**

**139.203. Strengthen efforts undertaken to combat violence against women (France);**

**139.204. Conduct a thorough investigation of the root causes of gender-based violence, and base future policy interventions on its results (Norway);**

**139.205. Strengthen its measures to address the serious and ongoing issue of violence against women, while taking on board the recommendations of the Special Rapporteur on violence against women (Japan);**

**139.206. Ensure implementation of the Domestic Violence Act, especially on violence against women (Namibia);**

**139.207. Render operational and grant with adequate resources the National Council against Gender-Based Violence and develop a multi-sectoral national strategic plan on this issue (Spain);**

**139.208. Adopt a comprehensive national plan to address comprehensively the problem of gender violence, physical, psychological and sexual, providing to all relevant public servants the sufficient resources to implement these policies, taking into account the specific circumstances of women and girls who suffer from the most serious vulnerability (Chile);**

**139.209. Set in place a comprehensive, national coordinated strategy to address gender based violence in order to ensure the implementation of the legal framework and to tackle the high prevalence of sexual and gender based violence, including against children (Finland);**

**139.210. Develop a comprehensive, multi-sectoral national strategic plan on gender-based violence (Netherlands);**



- 139.211. **Revive efforts to develop a National Action Plan on combating gender-based violence (Georgia);**
- 139.212. **Revive efforts to develop a national strategic plan on gender-based violence and ensure appropriate resources for its implementation (Slovenia);**
- 139.213. **Adopt additional measures to combat all kinds of gender-based violence and to enforce the existing legislation on the matter, by, inter alia, promoting awareness campaigns and providing appropriate care of women and girls victims of violence (Brazil);**
- 139.214. **Develop comprehensive policies and programs on gender-based violence, including training of security forces, prosecutors and judges in order to properly deal with those cases (Israel);**
- 139.215. **Undertake continued and enhanced efforts to protect and provide redress to women suffering from violence and to continue raising awareness, through training and other means, in the judicial system, including the police, of the necessity to act against all cases of sexual and gender-based violence, including on the grounds of real or perceived sexual orientation, gender identity or expression (Sweden);**
- 139.216. **Carry out a national outreach campaign for the elimination of sexual and gender-based violence which includes information on the rights of victims (Mexico);**
- 139.217. **Increase efforts in guaranteeing women's access to justice, protection and other remedies and put in place stronger mechanisms to protect women and girls against gender-based violence and provide redress to victims (Austria);**
- 139.218. **Deploy the necessary efforts to improve the functioning of the courts dealing with sexual crimes in the country, while intensifying public awareness-raising campaigns aimed at reducing the under-utilisation of these courts (Haiti);**
- 139.219. **Reinforce its efforts to ensure thorough investigation and prosecution of crimes of gender-based and domestic violence and guarantee access to justice for victims (Mongolia);**
- 139.220. **Allocate sufficient resources to implement its youth policy to ensure meaningful use of youth delegates participating in international fora, and inclusion of youth in rural areas and strengthen political impartiality and independence of youth representation<sup>1</sup> (Denmark);**
- 139.221. **Harmonize legislation in order to ensure that the minimum age of marriage is increased to eighteen years for boys and girls, without exception (Haiti);**
- 139.222. **Implement the Convention on the Rights of the Child through the harmonization of its national laws to ensure that the minimum age for marriage is established at 18 years for both girls and boys and remove barriers to birth registration (Kenya);**

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<sup>1</sup> The recommendation as read during the interactive dialogue: "Allocate sufficient resources to implement its youth policy to ensure meaningful use of youth delegates, inclusion of youth in rural areas and strengthen political impartiality and independence of youth representation (Denmark)"

- 139.223. Increase the age of marriage to 18 for both boys and girls and harmonize legislation to this effect (Sierra Leone);
- 139.224. Harmonise the South African legislation to ensure that the minimum age for marriage was established at 18 years for both boys and girls (Zambia);
- 139.225. Ensure in national legislation that the minimum age for marriage is 18 years for both girls and boys and take all necessary measures to prevent and eliminate child sex tourism and exploitation of child labour (Slovenia);
- 139.226. Revise the ‘Children’s Act’ in order to set the minimum age for marriage to 18 years for both boys and girls (Belgium);
- 139.227. Take all necessary measures to end sexual and gender-based violence, especially by developing adequate gender sensitive training programmes for law enforcement agencies, the national prosecuting authority and judicial officers, and by adopting specific legislation addressing the practice of ukuthwala (child marriage) (Germany);
- 139.228. Develop specific measures to educate society and enforce existing legislation addressing the practice of ukuthwala and other customary practices leading to forced and child marriages (Hungary);
- 139.229. Continue efforts to combat sexual violence against children (Algeria);
- 139.230. Steps up its efforts to prevent harmful practices carried out on children (Timor-Leste);
- 139.231. Amend the Children’s Act with the aim of prohibiting virginity tests on children, irrespective of their age (Zambia);
- 139.232. Make additional efforts to combat child labour and guarantee children the enjoyment of the rights that are guaranteed to them in accordance with international standards (Iraq);
- 139.233. Adopt legislation to prohibit all forms of corporal punishment in the private sphere (Israel);
- 139.234. Expedite the adoption of legislation to prohibit all forms of corporal punishment in the home, including “reasonable chastisement” and ensure that those who perpetrate corporal punishment are held accountable (Liechtenstein);
- 139.235. Ensure registration of all children at birth as well as delayed registration of children that have not been registered at birth (Czechia);
- 139.236. Further engage in facilitating administrative procedures for birth registration, especially for disadvantaged children coming from rural and poor areas (Serbia);
- 139.237. Review and amend all legislation and regulations relevant to birth registration and nationality to ensure their full conformity with the Convention on the Rights of the Child (Albania);
- 139.238. Review and amend all legislation and regulations relevant to birth registration and nationality to ensure their full conformity with the Convention on the Rights of the Child (Liechtenstein);
- 139.239. Review its relevant legislation and regulations on birth registration to ensure their full conformity with the Convention on the Rights of the Child (Portugal);

139.240. **Ensure birth registration of all children born on South African territory, regardless of the immigration status or nationality of the parents (Mexico);**

139.241. **Amend legislation and regulations in order to ensure universal birth registration for children born in its territory (Turkey);**

139.242. **Continue ensuring that unaccompanied migrant children entering South Africa are kept in child and youth care centres and treated as children in need to care and protection (Holy See);**

139.243. **Refrain from deprivation of citizenship through blocking of identity documents and establish a dedicated procedure to identify stateless persons (Hungary).**

140. **All conclusions and/or recommendations contained in the present report reflect the position of the submitting State(s) and/or the State under review. They should not be construed as endorsed by the Working Group as a whole.**

## Annex

### Composition of the delegation

The delegation of South Africa was headed by Mr John JEFFERY, Deputy Minister, of Justice and Constitutional Development and composed of the following members:

- Mr. L Landers, Deputy Minister, Department of International Relations and Cooperation;
  - H.E. Ms Nozipho MXAKATO-DISEKO Ambassador/ Permanent Representative Permanent Mission of South Africa to the UN Geneva;
  - Ms Ncumisa NOTUTELA, Deputy Permanent Representative, Permanent Mission of South Africa to the UN in Geneva;
  - Ms Tsholofelo TSHEOLE Counsellor: Political South African Permanent Mission Geneva;
  - Dr Clinton SWEMMER Counsellor: Political South African Permanent Mission Geneva;
  - Ms Yatasha NAIDOO First Secretary Political South African Permanent Mission Geneva;
  - Ms Sibongile RUBUSHE: Counsellor Political;
  - Ms Mpho SOMHLABA: First Secretary Political;
  - Dr Lindiwe MAKUBALO: Minister: Health;
  - Mr Kgomotso LETOABA: Minister: Labour;
  - MR. Zahir AMIEN Director/ Head of Office Department of International Relations and Cooperation South Africa;
  - Adv. E. PICARA: Chief Director: International Legal Relations, South Africa;
  - Adv. Ooshara SEWPAUL Deputy Chief State Law Adviser Department of Justice and Constitutional Development , South Africa;
  - Ms C NOAH Deputy director ( Mutilateral) Department of Arts & Culture, South Africa;
  - Ms L GRAHAM Chief Director International Relations Department of Arts & Culture, South Africa;
  - Mr R BESTER Chief Director International Relations Department of Cooperative Governance & Traditional Affairs, South Africa.
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